

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 2-16-05

Signature



(Rhea Amid)

PATENT
Docket No. 564462004201

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Svetlana GRAMATIKOVA et al.

Serial No.: 10/511,875

Filing Date (Int'l): April 21, 2003

For: PHOSPHOLIPASES, NUCLEIC ACIDS
ENCODING THEM AND METHODS
FOR MAKING AND USING THEM

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

The documents numbered 13, 14, 17 and 18, listed on the attached Form PTO/SB/08a/b were cited in an International Search Report mailed on August 27, 2004 (copy attached) directed to a counterpart international or foreign application.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of ___ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of ___ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

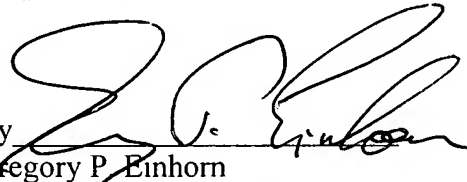
The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist;

(iii) the information, protocols, results and the like reported by third parties are accurate or enabling;
or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **564462004201**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: February 16, 2005

Respectfully submitted,

By 
Gregory P. Einhorn

Registration No.: 38,440
MORRISON & FOERSTER LLP
3811 Valley Centre Drive, Suite 500
San Diego, California 92130
(858) 720-5133

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/511,875
				Filing Date (Int'l)	April 21, 2003
				First Named Inventor	Svetlana GRAMATIKOVA
				Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	564462004201

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1.	US-4,707,364	11-17-1987	JEFFREY T. BARACH	
	2.	US-4,752,483	06-21-1988	ELROY C. HAGBERG	
	3.	US-6,172,247	01-09-2001	DICK COPELAND	
	4.	US-6,172,248	01-09-2001	DICK COPELAND	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	5.	WO-98/26057	06/1998			
	6.	WO-99/66805	12/1999			
	7.	WO-00/54601	09/2000			
	8.	WO-03/70013	08/2003			

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.†	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	9.	BIRSCHBACH, Bulletin of the IDF 269, 36-39	
	10.	BRINDISI et al., Journal of Food Science (2001) 66(8):1100-1107	
	11.	DE FELICE et al., Lait (1991) 71:637-643	
	12.	FERNANDES et al., Marschall Italian & Specialty Cheese Seminars (1987) 1-6	
	13.	GILMORE et al., Database on Genbank, 01 February 1994, Accession No. P33376	
	14.	GILMORE et al., Database on Genbank, 11 March 1996, Accession No. M24149	
	15.	HARBOE, Bulletin of the IDF 294, Chpt. 3:11-16	
	16.	International Search Report for PCT/US03/12556, mailed on August 27, 2004, 8 pages	
	17.	LOVGREN et al., Database on Genbank, 01 June 1998, Accession No. Q52864	
	18.	LOVGREN et al., Database on Genbank, 02 October 1998, Accession No. BTY16268	
	19.	SHAHANI, Marschall Italian & Specialty Cheese Seminars (1971) 1-13	
	20.	SOSULSKI et al., JAOCS (1988) 65(3):357-361	

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

sd-240560